

App. Serial No. 10/525,862
Docket No.: NL 020803 US

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Remarks

Claims 7 and 9 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action dated November 2, 2006 indicated several claims informalities and the potential allowability of claim 7 if the objections were overcome, and of claim 9, if the Section 112 objections and rejections were overcome.

The following rejections were also presented: claims 8-9 stand rejected under 35 U.S.C. § 112(2) as being indefinite; claims 1-2 and 6-8 stand rejected under 35 U.S.C. § 103(a) over Takeshita *et al.* (U.S. 2002/0053950) in view of Atkinson (GB 2253316); claim 3 stands rejected under 35 U.S.C. § 103(a) over Takeshita in view of Atkinson, and further in view of Nakamura (U.S. 6,072,370); and claims 4-5 stands rejected under 35 U.S.C. § 103(a) over Takeshita in view of Atkinson, and further in view of Dalmia (U.S. 6,683,930).

Applicant has cancelled claims 1-6 and 8.

With specific regard the 35 U.S.C. § 112 objections, in order to facilitate prosecution and for clarification purposes, Applicant has amended claims 7 and 9 in a manner largely consistent with the Examiner's suggestions. Applicant notes that the Examiner's suggestion to change "the third flip-flop" on line 11 to "a third flip-flop" is not consistent with the claim language of line 11, which already recited "a third flip-flop." Accordingly, Applicant has interpreted the Examiner's statement as a suggestion to change "a third flip-flop" to "the third flip-flop," and has amended the claim accordingly. Should this prove not be the case, Applicant requests clarification of the Examiner's objection and the opportunity to respond. In view of the above discussion, Applicant requests that the objections to claims 7 and 9 be removed.

With specific regard to the 35 U.S.C. § 112(2) rejection of claim 9 for indefiniteness, Applicant respectfully traverses the rejection. Applicant submits that the claimed limitations particularly point out and distinctly define the invention to one skilled in the art because one skilled in the art would understand the meaning of the phrase "up and down frequency control signals." Notwithstanding, Applicant has amended claim 9 for purposes of clarity and in order to facilitate prosecution. More specifically, Applicant

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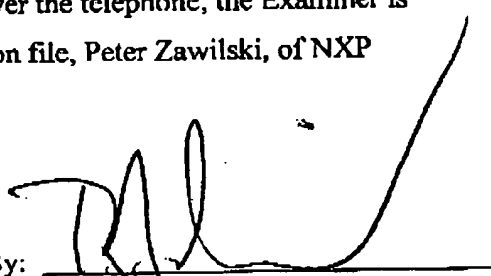
has amended the preamble to clarify limitations directed to the up frequency detector signal and the down frequency detector signal. Applicant believes that the amendment renders the Examiner's argument moot; however, should the Examiner provide suggestions regarding further amendments to claim 9, Applicant would be willing to consider such suggestions. In view of the aforementioned discussion, Applicant requests that the rejection to claim 9 be withdrawn.

Claims 7 and 9 are indicated as potentially allowable subject matter, if the 35 U.S.C. § 112 objections and/or rejections are overcome. Applicant appreciates the indication of allowability of claims 7 and 9 and has amended claims 7 and 9 as discussed herein. Accordingly, Applicant submits that claims 7 and 9 should be in a condition for allowance and because claims 7 and 9 are the only pending claims, the application is in condition for allowance.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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